

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

VANNEY VAN,
Petitioner

v.

MARY E. SABOL, et al.,
Respondents

CIVIL ACTION

NO. 11-2301

ORDER

AND NOW, this 28th day of September 2011, it is **ORDERED** that Chief Magistrate Judge Thomas J. Reuter's Report and Recommendation (ECF No. 9) **denying** respondents' request that the habeas petition be dismissed because petitioner is not "in custody" and, therefore, this court lacks jurisdiction, is **APPROVED** and **ADOPTED**. It shall be noted that neither party filed objections to the Report and Recommendation.

Respondents shall file on, or before, **October 28, 2011** a response addressing the merits of the habeas petition and such other relevant issues as described in the Report and Recommendation.


ANITA B. BRODY, J.

Copies **VIA ECF** on _____ to:

Copies **MAILED** on _____ to:

O:\ABB 2011\L-Z\Van v Sobel adopt r&r and deadline.wpd